

JAN 20 2006

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING FAX FILED TO THE COMMISSIONER OF PATENTS AT (571)-273-8300 ON THE DATE INDICATED BELOW.

BY: DATE: 1/20/06**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re:	Patent Application of Christopher I. Halliday	: Group Art Unit: 2155
		:
Appln. No.:	09/922,487	: Examiner: Bates, Kevin T.
		:
Filed:	August 3, 2001	:
		:
For:	Method and Apparatus for Selecting Satellite Audio Radio Channels	:

**EXHIBIT A****SUPPORTING AFFIDAVIT UNDER 37 C.F.R. § 1.131**

I, Brian J. Gibbons, declare as follows:

1. As of August, 2001, I had obtained both a Bachelor of Science degree and Masters of Science degree in Management Science and Information Systems.

2. I have worked within the Corporate Intranet group of Vanguard since March of 2000. By utilizing web-based technologies which include JAVA, Perl, HTML and JavaScript, I have coded and delivered HR, Financial and WorkGroup systems within the Vanguard infrastructure. This code ties into various database and internal systems through stored procedures, and the final output utilizes XML/XSL in order to format the data. Both UNIX and NT subsystems are encompassed within the managed systems.

3. I have reviewed and understand the Office Action dated November 8, 2005, in the above referenced case.

4. The Office Action states on pages 2 through 7 that Rindsburg et al. anticipates claims 41-43, 47-48, 50-52, 58, 60-64 and 74-76 of the above-referenced patent application, under 35 U.S.C. § 102(e).

5. I declare that the inventor Christopher I. Halliday described to me the inventions claimed in currently pending claims 41-43, 47-48, 50-52, 58, 60-64 and 74-76, both verbally and in writing, before the critical date of July 31, 2001.

6. I further declare that on and before July 27, 2001, the inventor provided to me drafts of the application for my review and comment. I also declare that the draft of the application that I had in my possession on and before July 27, 2001, contained all of the substantive content of the published version of the filed application (U.S. Patent Publication No. 2002/0038376), and therefore also included the disclosure supporting currently pending claims 41-43, 47-48, 50-52, 58, 60-64 and 74-76.

7. I also declare that on and before July 27, 2001, through August 3, 2001, the inventor and I discussed edits to portions of drafts, and in particular those portions which concern databases. We also discussed the disclosure as it relates to satellite audio radio. I also declare that I visited with the inventor over the weekend of July 28 and July 29, 2001, to discuss proposed edits to the draft that I had in my possession at the time. All of these discussions were held to prepare a final draft as a non-provisional patent application for filing with the United States Patent and Trademark Office.

8. I further declare that from July 30, 2001, to August 3, 2001, the inventor and I were in regular contact via telephone, and that we continued to discuss potential further edits to the draft in light of my additional and ongoing editorial review.

9. I further declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are

punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-referenced application or any patent issuing thereon.

Respectfully submitted,

Date: 1/9/2006

By: Brian J. Gibbons  
Brian J. Gibbons